
By: **Chairman, Economic Matters Committee (By Request - Departmental -
Labor, Licensing and Regulation)**

Introduced and read first time: February 2, 2004

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 28, 2004

CHAPTER _____

1 AN ACT concerning

2 **Commissioner of Labor and Industry - Boiler and Pressure Vessel Safety -**
3 **Authority and Inspection Intervals**

4 FOR the purpose of exempting certain model steam boilers from ~~the Boiler and~~
5 ~~Pressure Vessel Safety Act~~ certain inspection requirements; requiring that
6 certain time intervals for certificate inspections of boilers and pressure vessels
7 be set by regulation and certain provisions of law; altering the period of validity
8 for a certain certificate; requiring that a certain certificate specify a certain
9 inspection interval; requiring the chief boiler inspector to issue a certain
10 certificate to an owner of a boiler or pressure vessel under certain conditions;
11 requiring the Department of Labor, Licensing, and Regulation to make a certain
12 report on or before a certain date; defining certain terms; and generally relating
13 to boiler and pressure vessel safety.

14 BY repealing and reenacting, without amendments,
15 Article - Public Safety
16 Section 12-901(a) and ~~12-911(a)~~ 12-903(b)(9) and (10)
17 Annotated Code of Maryland
18 (2003 Volume)

19 ~~BY repealing~~
20 ~~Article - Public Safety~~
21 ~~Section 12-911(b)~~
22 ~~Annotated Code of Maryland~~
23 ~~(2003 Volume)~~

1 BY adding to
2 Article - Public Safety
3 Section 12-901(i), ~~12-903(b)(11), and 12-911(b)~~
4 Annotated Code of Maryland
5 (2003 Volume)

6 BY repealing and reenacting, with amendments,
7 Article - Public Safety
8 Section 12-901(i) through (k), ~~12-903(b)(9) and (10), and 12-909(d)~~ 12-909(d),
9 and 12-911
10 Annotated Code of Maryland
11 (2003 Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Public Safety**

15 12-901.

16 (a) In this subtitle the following words have the meanings indicated.

17 (I) "MODEL STEAM BOILER" MEANS A BOILER THAT IS:

18 (1) INDIVIDUALLY FABRICATED FOR NONCOMMERCIAL USE;

19 (2) USED PRIMARILY FOR DEMONSTRATION, EXHIBITION, OR
20 EDUCATIONAL PURPOSES; AND

21 (3) NOT FOR PROFIT.

22 [(i)] (J) "Power boiler" means a boiler in which steam or other vapor is
23 generated at a pressure of more than 15 psig.

24 [(j)] (K) (1) "Pressure vessel" means a vessel in which the pressure is
25 obtained:

26 (i) from an external source; or

27 (ii) by the application of heat from:

28 1. an indirect source; or

29 2. a direct source other than a boiler.

30 (2) "Pressure vessel" does not include a pipe, piping component, or
31 structure whose primary function is to transport fluids.

32 [(k)] (L) "Secretary" means the Secretary of Labor, Licensing, and Regulation.

1 12-903.

2 (b) This subtitle does not apply to:

3 (9) a mechanical device of any of the following types:

4 (i) a pump;

5 (ii) a compressor;

6 (iii) a turbine;

7 (iv) a generator; or

8 (v) a hydraulic or pneumatic cylinder; {or}

9 (10) the water-containing part of an air-conditioning or refrigeration
10 system condenser or evaporator:

11 (i) that uses halocarbon refrigerant;

12 (ii) that is constructed in accordance with the requirements of
13 ANSI/ASHRAE Standard 15 (the safety code for mechanical refrigeration) in effect at
14 the time of construction; and

15 (iii) if neither of the following limitations is exceeded:

16 1. a design pressure of 300 psig; and

17 2. a design temperature of 210 degrees Fahrenheit; ~~OR~~

18 ~~(11) MODEL STEAM BOILERS.~~

19 12-909.

20 (d) (1) Except for boilers and pressure vessels exempt under subsection (a)
21 of this section or § 12-903 of this subtitle, each boiler and each pressure vessel that is
22 used or proposed to be used in the State shall be inspected thoroughly as to its
23 construction, installation, and condition in accordance with this subsection.

24 (2) A certificate inspection required under this subsection shall be:

25 (i) an internal inspection if construction allows; or

26 (ii) an inspection that is as complete as possible.

27 ~~{(3) (i) A EXCEPT FOR MODEL STEAM BOILERS, A~~ power boiler or a high
28 pressure, high temperature water boiler shall:

29 1. receive a certificate inspection annually; and

1 (II) THE INTERVALS SHALL PROTECT PUBLIC SAFETY TAKING INTO
2 CONSIDERATION, CONSISTENT WITH § 12-905 OF THIS SUBTITLE, THE DESIGN, TYPE,
3 AGE, EXTENT OF AUTOMATED MONITORING, FUEL, AND OPERATING
4 CHARACTERISTICS OF THE BOILER OR PRESSURE VESSEL.

5 12-911.

6 (a) If the report filed in accordance with § 12-910(a) of this subtitle shows that
7 a boiler or pressure vessel complies with regulations adopted under this subtitle, the
8 Chief Boiler Inspector shall issue to the owner or user of the boiler or pressure vessel
9 a certificate that bears the date of inspection, SPECIFIES THE INSPECTION INTERVAL,
10 and specifies the maximum pressure under which the boiler or pressure vessel may
11 be operated.

12 [(b) Unless the Board has extended the interval between certificate inspections
13 as authorized by this subtitle, the certificate is valid for:

14 (1) not more than 12 months after its date of issuance for a power boiler
15 or high pressure, high temperature water boiler; and

16 (2) not more than 24 months after its date of issuance for a low pressure
17 steam or vapor heating boiler, hot water heating boiler, hot water supply boiler, or
18 pressure vessel.]

19 (B) THE CERTIFICATE IS VALID FOR THE PERIOD THAT CORRESPONDS TO THE
20 INTERVAL BETWEEN CERTIFICATE INSPECTIONS AS ESTABLISHED BY REGULATION
21 UNDER § 12-909 OF THIS SUBTITLE.

22 (C) IF THE CERTIFICATE INSPECTION INTERVAL FOR A BOILER OR PRESSURE
23 VESSEL IS EXTENDED UNDER § 12-909(D)(5) OF THIS SUBTITLE, THE CHIEF BOILER
24 INSPECTOR SHALL PROMPTLY ISSUE A CERTIFICATE TO THE OWNER OF THE BOILER
25 OR PRESSURE VESSEL THAT BEARS THE NEW EXPIRATION DATE.

26 [(c)] (D) (1) The certificate shall be posted under glass in the room that
27 contains the boiler or pressure vessel that was inspected.

28 (2) If the boiler or pressure vessel is not located in a building, the
29 certificate shall be posted in a location convenient to the boiler or pressure vessel that
30 was inspected or in any place where the certificate will be accessible to interested
31 parties.

32 [(d)] (E) (1) The Chief Boiler Inspector or an authorized deputy boiler
33 inspector may suspend a certificate at any time when, in the opinion of the inspector,
34 the boiler or pressure vessel for which the certificate was issued:

35 (i) cannot be operated without danger to public safety; or

36 (ii) is found not to comply with regulations adopted under this
37 subtitle.

- 1 (2) The suspension of a certificate continues until:
- 2 (i) the boiler or pressure vessel is made to conform to the
3 regulations adopted under this subtitle; and
- 4 (ii) the certificate is reinstated.
- 5 [(e)] (F) If a boiler or pressure vessel for which a certificate was issued based
6 on the report of a special inspector ceases to be insured by an authorized insurer, the
7 certificate is invalid.

8 SECTION 2. AND BE IT FURTHER ENACTED, That, subject to § 2-1246 of
9 the State Government Article, the Department of Labor, Licensing, and Regulation
10 shall report to the House Economic Matters Committee on or before December 1,
11 2004, on its progress in reducing the number of overdue boiler inspections.

12 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect July 1, 2004.